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C O N F I D E N T I A L SECTION 01 OF 02 MANILA 002527

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TAGS: [PGOV](#) [PREL](#) [PHUM](#) [PINS](#) [KJUS](#) [KDEM](#) [RP](#)  
SUBJECT: AMBASSADOR DISCUSSES MARTIAL LAW, MILF, MCC WITH  
EXECUTIVE SECRETARY ERMITA

REF: A. MANILA 2503 (AMB CAUTIONS ON MARTIAL LAW)  
[1](#)B. MANILA 2448 (PHILIPPINE CLAN VIOLENCE)

Classified By: Ambassador Kristie A. Kenney, reason: 1.4 (b) and (d).

SUMMARY

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[1](#)1. (C) Presidential Executive Secretary Eduardo Ermita told the Ambassador December 10 that he expected the congress would not override President Arroyo on the imposition of martial law in parts of Maguindanao province. He reassured the Ambassador the government was respecting human rights while martial law was in place. The Ambassador pressed to determine when the government might rescind martial law; Ermita indicated it would do so as soon as political optics allowed, in advance of the 60-day limit. Ermita also said Arroyo was personally involved in the peace process with the MILF and was pleased with recent progress; he welcomed news of the Philippines' eligibility for the Millennium Challenge Corporation compact. He expressed great enthusiasm over Secretary Clinton's recent visit and discussed his plans for a congressional run, also indicating several officials on whom Arroyo relies for counsel. End Summary.

MARTIAL LAW

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[1](#)2. (C) In a one-on-one breakfast December 10, presidential Executive Secretary Eduardo Ermita told the Ambassador that he expected the Philippine Congressional joint session examining martial law in portions of Maguindanao province to proceed for at least one more day. Ermita believed most of the legislators were posturing for the public, but he stressed that the administration was treating the legislative process seriously and would make top officials available for testimony during the joint session. (During the breakfast, Ermita took calls from the Defense Secretary and the Foreign Secretary, as they coordinated their approach to the hearings scheduled for December 10.) Ermita said that the Congress would realize that arrests and searches in connection with the Maguindanao massacre could not have taken place without the imposition of martial law, and congress would not override the President's decision. (Note: The administration controls a commanding majority of the votes in the joint session. End note.)

[1](#)3. (C) The Ambassador pressed Ermita on when the government would rescind martial law. Ermita said the government might take this step soon, but officials would be wary about making the President appear "capricious." Conditions on the ground could support a rescision of martial law soon, Ermita said, with the previously declared state of emergency remaining in effect, but the timing of such a move should take into account the political optics. Ermita assured the Ambassador

that the government was fully respecting human rights and press freedoms and focusing on investigating the massacre and prosecuting the culprits.

¶4. (C) Ermita said it had been common knowledge that the Ampatuan clan, the key suspects in the killing of 57 people in an election-related massacre last month, maintained its own armed group in Maguindanao, but government officials were astonished by the size of the arms caches, and the power of the weaponry. Ermita repeated his earlier (ref A) expression of confidence in General Raymundo Ferrer, who is overseeing military operations in Maguindanao.

#### GOVERNMENT-MILF TALKS

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¶5. (C) Ermita characterized the most recent round of government talks with the Moro Islamic Liberation Front (MILF) as very successful. He said President Arroyo was intensely focused on making progress in these talks and was following them closely. At the conclusion of the talks on December 9, the two parties announced that, among other developments, they had agreed "to begin in earnest the negotiations on a Comprehensive Compact." It is unclear when the talks will continue, however.

#### MCC

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¶6. (C) The Ambassador remarked that the Millennium Challenge Corporation had decided to reselect the Philippines for

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Compact eligibility. Ermita, whom President Arroyo put in charge of the Philippines' MCC effort earlier this year, warmly welcomed the news; he believed Philippine Ambassador Gaa deserved much of the credit for the decision.

#### PALACE PERSONNEL

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¶7. (C) Ermita said he would register with the Commission on Elections in order to seek election to a House of Representatives seat from the province of Batangas. Although the formal registration period has ended, Ermita can register now as a substitute for his daughter, who had registered her candidacy for that seat but now has decided not to run. Ermita said he expected he would remain in office until March, at which point he would resign to campaign in the election. A recent Supreme Court decision allows holders of appointed government positions to remain in office beyond the filing of their certificates of candidacy, but they must resign when the formal campaign period begins.

¶8. (C) Tangentially, Ermita said that President Arroyo was increasingly relying on three people for counsel: Secretary of National Defense Norberto Gonzales, and advisors Remedios Poblador and Lupita Aquino-Kashiwara. The Ambassador expressed hope that senior officials with substantial experience and sound judgment would also have good access to the President.

#### SECRETARY CLINTON'S VISIT

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¶9. (C) Ermita told the Ambassador he considered the visit of Secretary Clinton a great success. He and other top officials had been very impressed in their meetings with Secretary Clinton, and he thought the Secretary had impressed the nation with her public appearance in a televised discussion at the University of Santo Thomas.

#### COMMENT

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¶10. (C) The government continues to take criticism for

imposing martial law, and this is overshadowing the worthy steps to pursue accountability in the Maguindanao massacre. We believe the government does, therefore, have an incentive to lift martial law sooner rather than later. While we understand civil society's anxieties about martial law, we have no indications that Ermita was less than truthful when he said the government was respecting human rights in Maguindanao.

KENNEY